

UNITED STATES DISTRICT COURT

for the
Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Sep 22, 2023

SEAN F. McAVOY, CLERK

EVELYN W.,

Plaintiff

v.

KILOLO KIJAKAZI,
Acting Commissioner of Social Security,

Civil Action No. 2:22-cv-00047-RHW

Defendant

JUDGMENT IN A CIVIL ACTION

The court has ordered that (*check one*):

☐ the plaintiff (*name*) _____ recover from the
defendant (*name*) _____ the amount of
_____ dollars (\$ _____), which includes prejudgment
interest at the rate of _____ %, plus post judgment interest at the rate of _____ % per annum, along with costs.

☐ the plaintiff recover nothing, the action be dismissed on the merits, and the defendant (*name*) _____
_____ recover costs from the plaintiff (*name*) _____

☒ other: The Report and Recommendation, ECF No. 27, is ADOPTED in its entirety. Plaintiff's Motion for Summary Judgment, ECF No. 21, is GRANTED. Defendant's Motion for Summary Judgment, ECF No. 22, is DENIED. The Commissioner's decision is REVERSED and this matter is REMANDED pursuant to sentence four of 42 U.S.C. § 405(g) for the calculation and award of benefits. Judgment entered for Plaintiff.

This action was (*check one*):

☐ tried by a jury with Judge _____ presiding, and the jury has
rendered a verdict.

☐ tried by Judge _____ without a jury and the above decision
was reached.

☒ decided by Judge Robert H. Whaley _____ on a cross motions for summary judgment.

Date: 9/22/2023

CLERK OF COURT

SEAN F. McAVOY

s/ Nicole Cruz

(By) Deputy Clerk

Nicole Cruz